

SENATE BILL REPORT

SHB 1159

As Reported By Senate Committee On:
Judiciary, March 30, 2005

Title: An act relating to limiting liability for persons who work with liquefied petroleum gas.

Brief Description: Limiting liability for persons working with liquefied petroleum gas.

Sponsors: House Committee on Judiciary (originally sponsored by Representatives Kirby and Priest).

Brief History: Passed House: 3/09/05, 96-0.

Committee Activity: Judiciary: 3/22/05, 3/30/05 [DP, DNP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Johnson, Ranking Minority Member; Carrell, Esser, Hargrove, McCaslin and Rasmussen.

Minority Report: Do not pass.

Signed by Senator Weinstein, Vice Chair.

Staff: Cindy Fazio (786-7405)

Background: Liquefied petroleum (LP) gas refers to such gases as propane, propylene, butane, and butylene or mixes of these gases. The most commonly used of these gases, commercially and residentially, is propane. While some individuals or businesses own their LP-gas containers and equipment, it is common for the gas distributor to own tanks and other equipment or appliances which they lease to the consumer. Most LP-gas distributors train their employees and the lessee's employees, when appropriate, to properly handle, inspect, operate, and fill the container. The container is an integral part of a pressurized fuel system. If it is filled improperly, or becomes damaged due to improper handling, an accident could occur resulting in personal injury and/or property damage.

Summary of Bill: A propane gas seller, handler, supplier, or transporter is immune from liability for civil damages for an action for wrongful death, injury, or loss of property caused by the use of liquefied petroleum gas equipment or appliances. The immunity attaches if the equipment or appliances are used in a manner or for a purpose other than that foreseeable, and could not have been expected; and the use was without the seller's actual or constructive knowledge.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Who Testified: No one.